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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,) CASE NO. CR 14-0306 WHA
14 Plaintiff,)
15 v.) STIPULATION TO EXCLUDE TIME AND
16 LUKE D. BRUGNARA,) [PROPOSED] ORDER
17 Defendant.)
18 _____)

19 The United States, by its undersigned counsel, and defendant, by his undersigned counsel,
20 hereby stipulate to and memorialize the following findings:

21 On February 25, 2015, the parties appeared before this Court for a hearing. The government was
22 represented by Assistant United States Attorneys Robin Harris and Ben Kingsley, and defendant was
23 present and represented by new attorney Jeffrey Bornstein and by attorney, Erik Babcock. At this
24 hearing, the Court again took notice of the very high likelihood that Mr. Babcock has been conflicted
25 out of the case because he is a witness to defendant's absconding from the federal building on February
26 5, 2015. The Court continued the case until March 17, 2015, for a status conference, and tentatively set
27 a trial date of April 27, 2015.

28
STIPULATION TO EXCLUDE TIME AND [PROPOSED] ORDER
CR 14-0306 WHA

With the agreement of the parties and based on the representations of defense counsel, the Court excluded time under the Speedy Trial Act from February 25, 2015 to March 17, 2015, finding that the ends of justice outweighed the best interests of the public and the defendant in a speedy trial, to allow for the effective preparation of new defense counsel, taking into consideration the exercise of due diligence. *See* 18 U.S.C. §§ 3161(h)(7)(A), 3161(h)(7)(B)(iv).

IT IS SO STIPULATED.

DATED: March 2, 2015

/s/
ROBIN L. HARRIS
BENJAMIN KINGSLEY
Assistant United States Attorneys

DATED: March 2, 2015

/s/
JEFFREY BORNSTEIN
Counsel for Defendant Luke Brugnara

A status conference is set for March 17, 2015. The time from February 25, 2015, until March 17, 2015, is excluded under the Speedy Trial Act to allow defendant effective preparation of counsel, taking into consideration the exercise of due diligence. *See* 18 U.S.C. §§ 3161(h)(7)(A), 3161(h)(7)(B)(iv). The ends of justice served by granting a continuance outweigh the best interests of the public and defendant of a speedy trial.

IT IS SO ORDERED.

DATED: March 3, 2015


HON. WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE